



**COUNCILMEMBER DONNA FRYE
COUNCILMEMBER CARL DeMAIO**
City of San Diego

MEMORANDUM

DATE: July 16, 2009

TO: Council President Ben Hueso

FROM: Councilmember Donna Frye
Councilmember Carl DeMaio

Donna Frye
Carl DeMaio

SUBJECT: Rules of Council: Appointments to Ethics Commission

Currently, Ethics Commissioners are appointed by the Mayor and confirmed by a majority of the City Council. We request that the following changes to the Permanent Rules of Council be docketed at the Rules Committee on July 29, 2009:

That Municipal Code Section 26.0404 (a) and (c) be amended to provide that a pool of nominees shall be submitted by the Mayor, City Council, City Attorney, and members of the public to the City Clerk. These nominations shall be evaluated by a panel of three retired judges who shall appoint the members of the Ethics Commission.

That this language be added to Municipal Code Section 26.0404 (b) after the fifth sentence: *"Nor shall any person who served in a staff capacity (campaign or city office) for a current elected official be eligible for nomination to the Commission."*

After the Rules Committee discusses this item, we request that it comes before the City Council in September. In the meantime, we request that *no* action be taken regarding appointments and reappointments to the Ethics Commission.

CC: Honorable City Councilmembers
Honorable Mayor Jerry Sanders
Jan Goldsmith, City Attorney

Andrea Tevlin, Independent Budget Analyst
Liz Maland, City Clerk

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